

United States Bankruptcy Court
Eastern District of Virginia

In re Van Donald Miller

Debtor(s)

Case No. **15-35965**
Chapter **7**

AMENDMENT COVER SHEET

Amendment(s) to the following petition, list(s), schedule(s) or statement(s) are transmitted herewith:

Involuntary/Voluntary Petition [*Specify reason for amendment:* _____]
Check if applicable: Soc. Sec. No. amended. [*If applicable: An original, signed Official Form 121 was mailed/hand-delivered to the Clerk's office on _____.**]
 Summary of Your Assets and Liabilities (and Certain Statistical Information - Individuals Only)
 Declaration (Individuals - Form 106Dec) (Non-Individuals - Form 202)
 Schedule A/B - Property
 Schedule C - The Property You Claim as Exempt
 Schedule D – Creditors Who Hold Claims Secured by Property (See LBR 1009-1)
 Schedule E/F Creditors Who Have Unsecured Claims (See LBR 1009-1)
(*\$30.00 fee required if adding or deleting pre-petition creditors, changing amounts owed or classification of debt.*) Check applicable statement(s):

Creditor(s) added Creditor(s) deleted
 Change in amounts owed or classification of debt
 No pre-petition creditors added/deleted, or amounts owed or classification of debt changed. [Docket: Amended Schedule(s) and/or Statement(s), List(s)-NO FEE]
 Post-petition creditors added (Schedule of Unpaid Debts)

REMINDER: Conversion of Chapter 13 to Chapter 7 - only file Schedule of Unpaid Debts.

Schedule G- Executory Contracts and Unexpired Leases
 Schedule H - Codebtors
 Schedule I - Your Income
 Schedule J - Your Expenses

[NOTE: The form "NOTICE TO CREDITOR(S) (RE AMENDMENT)" is still required when adding or deleting creditors.

*Amendment of debtor(s) Social Security Number requires this cover sheet together with a completed Official Form 121 - Statement About Your Social Security Numbers be electronically filed or submitted to the Clerk's Office for 'restricted' entry of the amended Social Security Number into the case record.]

Statement of Financial Affairs
 Statement of Intention for Individuals Filing Under Chapter 7
 Chapter 11 List of Equity Security Holders
 Chapter 11: The List of Creditors Who Have the 20 Largest Unsecured Claims Against You Who Are Not Insiders
 Attorney's Disclosure of Compensation
 Other: _____

NOTICE OF AMENDMENT(S) TO AFFECTED PARTIES

Pursuant to Federal Rule of Bankruptcy Procedure 1009(a) and Local Rule 1009-1, I certify that notice of the filing of the amendment(s) checked above has been given this date to the United States Trustee, the trustee in this case, and to any and all entities affected by the amendment as follows: Mariner Finance.

Date: January 7, 2016

/s/ Pamela Trachtman-Allen

Pamela Trachtman-Allen

Attorney for Debtor(s) [or *Pro Se* Debtor(s)]

State Bar No.: **83114**

Mailing Address: **The Merna Law Group, P.C.**
3419 Virginia Beach Blvd., #236
Virginia Beach, VA 23452

Telephone No.: **(757)340-4895**

Fill in this information to identify your case and this filing:

Debtor 1	Van Donald Miller		
	First Name	Middle Name	Last Name
Debtor 2 (Spouse, if filing)	First Name	Middle Name	Last Name
United States Bankruptcy Court for the: <u>EASTERN DISTRICT OF VIRGINIA</u>			
Case number	<u>15-35965</u>		

Check if this is an amended filing

Official Form 106A/B

Schedule A/B: Property

12/15

In each category, separately list and describe items. List an asset only once. If an asset fits in more than one category, list the asset in the category where you think it fits best. Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

Part 1: Describe Each Residence, Building, Land, or Other Real Estate You Own or Have an Interest In

1. Do you own or have any legal or equitable interest in any residence, building, land, or similar property?

No. Go to Part 2.
 Yes. Where is the property?

Part 2: Describe Your Vehicles

Do you own, lease, or have legal or equitable interest in any vehicles, whether they are registered or not? Include any vehicles you own that someone else drives. If you lease a vehicle, also report it on *Schedule G: Executory Contracts and Unexpired Leases*.

3. Cars, vans, trucks, tractors, sport utility vehicles, motorcycles

No
 Yes

3.1 Make: **Buick**
Model: **Encore**
Year: **2013**
Approximate mileage: **10,500**

Other information:
Vehicle: 2013 Buick Encore
Mileage: 10,500
Condition: Good
Value: Based on NADA Clean Retail less \$1000 for normal wear and tear

Who has an interest in the property? Check one

Debtor 1 only
 Debtor 2 only
 Debtor 1 and Debtor 2 only
 At least one of the debtors and another

Check if this is community property
(see instructions)

Do not deduct secured claims or exemptions. Put the amount of any secured claims on *Schedule D: Creditors Who Have Claims Secured by Property*.

Current value of the entire property? Current value of the portion you own?

\$18,225.00

\$18,225.00

Debtor 1 **Van Donald Miller**Case number (if known) **15-35965**

3.2 Make: **Dodge**
 Model: **Journey**
 Year: **2009**
 Approximate mileage: **90,000**

Other information:

Vehicle: 2009 Dodge Journey**Mileage: 90,000****Condition: Good****Value: Based on NADA clean retail less \$1000 for normal wear and tear.**

Vehicle was repossessed in November but has not been liquidated at the time of filing. Debtor is surrendering his interest.

Who has an interest in the property? Check one

Debtor 1 only
 Debtor 2 only
 Debtor 1 and Debtor 2 only
 At least one of the debtors and another

Check if this is community property
(see instructions)

Do not deduct secured claims or exemptions. Put the amount of any secured claims on Schedule D: Creditors Who Have Claims Secured by Property.

Current value of the entire property?

\$8,625.00

Current value of the portion you own?

\$8,625.00

3.3 Make: **Lincoln**
 Model: **Towncar**
 Year: **1996**
 Approximate mileage: **155,000**

Other information:

Vehicle: 1996 Lincoln Towncar**Mileage: 155,000****Condition: Good****Value: Based on NADA clean retail less \$1000 for normal wear and tear****Who has an interest in the property? Check one**

Debtor 1 only
 Debtor 2 only
 Debtor 1 and Debtor 2 only
 At least one of the debtors and another

Check if this is community property
(see instructions)

Do not deduct secured claims or exemptions. Put the amount of any secured claims on Schedule D: Creditors Who Have Claims Secured by Property.

Current value of the entire property?

\$2,850.00

Current value of the portion you own?

\$2,850.00

3.4 Make: **BMW**
 Model: **3 Series**
 Year: **2007**
 Approximate mileage: **140,000**

Other information:

Condition: Fair**Value based off of NADA clean retail price, minus \$1,000.00 for normal wear and tear****Who has an interest in the property? Check one**

Debtor 1 only
 Debtor 2 only
 Debtor 1 and Debtor 2 only
 At least one of the debtors and another

Check if this is community property
(see instructions)

Do not deduct secured claims or exemptions. Put the amount of any secured claims on Schedule D: Creditors Who Have Claims Secured by Property.

Current value of the entire property?

\$9,475.00

Current value of the portion you own?

\$4,737.50**4. Watercraft, aircraft, motor homes, ATVs and other recreational vehicles, other vehicles, and accessories**

Examples: Boats, trailers, motors, personal watercraft, fishing vessels, snowmobiles, motorcycle accessories

 No Yes

5 Add the dollar value of the portion you own for all of your entries from Part 2, including any entries for pages you have attached for Part 2. Write that number here.....=> **\$34,437.50**

Part 3: Describe Your Personal and Household Items

Do you own or have any legal or equitable interest in any of the following items?

Current value of the portion you own?
 Do not deduct secured claims or exemptions.

6. Household goods and furnishings

Examples: Major appliances, furniture, linens, china, kitchenware

 No Yes. Describe.....

Household goods, furnishings and other items located at debtor's residence.
Value listed is based on debtor's estimate of replacement value of the property.

2 Chairs \$50, 1 Sofa \$150, 1 Coffee Table \$75, 2 Bed \$1000, 1 Chest of Drawers \$100, 1 Buffet \$150, 1 Radio \$200, 3 TV \$800, 1 Phone \$25, 1 Fan \$30, 1 Vacuum \$90, 1 Refrigerator \$500, 1 Microwave \$40, 3 Lamps \$200, 15 Dishes \$100, 5 Pots and Pans \$150, 7 Collectibles \$700, 2 Pictures \$100,

\$4,460.00**7. Electronics**

Examples: Televisions and radios; audio, video, stereo, and digital equipment; computers, printers, scanners; music collections; electronic devices including cell phones, cameras, media players, games

No
 Yes. Describe.....

8. Collectibles of value

Examples: Antiques and figurines; paintings, prints, or other artwork; books, pictures, or other art objects; stamp, coin, or baseball card collections; other collections, memorabilia, collectibles

No
 Yes. Describe.....

9. Equipment for sports and hobbies

Examples: Sports, photographic, exercise, and other hobby equipment; bicycles, pool tables, golf clubs, skis; canoes and kayaks; carpentry tools; musical instruments

No
 Yes. Describe.....

10. Firearms

Examples: Pistols, rifles, shotguns, ammunition, and related equipment

No
 Yes. Describe.....

11. Clothes

Examples: Everyday clothes, furs, leather coats, designer wear, shoes, accessories

No
 Yes. Describe.....

Wearing apparel located at debtor's residence. Value listed is based on debtor's estimate of replacement value of the property.

\$500.00**12. Jewelry**

Examples: Everyday jewelry, costume jewelry, engagement rings, wedding rings, heirloom jewelry, watches, gems, gold, silver

No
 Yes. Describe.....

Wedding band/engagement ring located at debtor's residence. Value listed is based on debtor's estimate of replacement value of the property.

\$1.00**13. Non-farm animals**

Examples: Dogs, cats, birds, horses

No
 Yes. Describe.....

14. Any other personal and household items you did not already list, including any health aids you did not list

No
 Yes. Give specific information.....

15. Add the dollar value of all of your entries from Part 3, including any entries for pages you have attached for Part 3. Write that number here**\$4,961.00**

Part 4: Describe Your Financial Assets**Do you own or have any legal or equitable interest in any of the following?**

Current value of the portion you own?
 Do not deduct secured claims or exemptions.

16. Cash*Examples:* Money you have in your wallet, in your home, in a safe deposit box, and on hand when you file your petition No Yes.....**Cash on hand****\$1.00****17. Deposits of money***Examples:* Checking, savings, or other financial accounts; certificates of deposit; shares in credit unions, brokerage houses, and other similar institutions. If you have multiple accounts with the same institution, list each. No Yes.....

Institution name:

17.1.	Checking account *9451 with Wells Fargo Bank	\$5.00
-------	---	---------------

17.2.	Savings account *2377 with Wells Fargo Bank	\$5.00
-------	--	---------------

17.3.	Savings account *5417 with Wells Fargo Bank	\$5.00
-------	--	---------------

17.4.	Checking account *S8 with Henrico Federal Credit Union	\$5.00
-------	---	---------------

17.5.	Savings account *S1 with Henrico Federal Credit Union	\$5.00
-------	--	---------------

17.6.	Flower Credit Union Checking & Savings Accounts	\$5.00
-------	--	---------------

18. Bonds, mutual funds, or publicly traded stocks*Examples:* Bond funds, investment accounts with brokerage firms, money market accounts No Yes.....

Institution or issuer name:

19. Non-publicly traded stock and interests in incorporated and unincorporated businesses, including an interest in an LLC, partnership, and joint venture No Yes. Give specific information about them.....

Name of entity:

% of ownership:

20. Government and corporate bonds and other negotiable and non-negotiable instruments*Negotiable instruments* include personal checks, cashiers' checks, promissory notes, and money orders.*Non-negotiable instruments* are those you cannot transfer to someone by signing or delivering them. No Yes. Give specific information about them

Issuer name:

21. Retirement or pension accounts*Examples:* Interests in IRA, ERISA, Keogh, 401(k), 403(b), thrift savings accounts, or other pension or profit-sharing plans No Yes. List each account separately.

Type of account:

Institution name:

**Retirement plan
Flowers Foods, Inc. 401k**

\$11,628.00

22. Security deposits and prepayments

Your share of all unused deposits you have made so that you may continue service or use from a company

Examples: Agreements with landlords, prepaid rent, public utilities (electric, gas, water), telecommunications companies, or others

 No Yes.

Institution name or individual:

**Security deposit held by utility company,
landlord, etc.**

\$1.00

23. Annuities (A contract for a periodic payment of money to you, either for life or for a number of years) No Yes..... Issuer name and description.**24. Interests in an education IRA, in an account in a qualified ABLE program, or under a qualified state tuition program.**

26 U.S.C. §§ 530(b)(1), 529A(b), and 529(b)(1).

 No Yes..... Institution name and description. Separately file the records of any interests.11 U.S.C. § 521(c):**25. Trusts, equitable or future interests in property (other than anything listed in line 1), and rights or powers exercisable for your benefit** No Yes. Give specific information about them...**Contingent inheritance**

\$1.00

26. Patents, copyrights, trademarks, trade secrets, and other intellectual property

Examples: Internet domain names, websites, proceeds from royalties and licensing agreements

 No Yes. Give specific information about them...**27. Licenses, franchises, and other general intangibles**

Examples: Building permits, exclusive licenses, cooperative association holdings, liquor licenses, professional licenses

 No Yes. Give specific information about them....**Money or property owed to you?****Current value of the
portion you own?**Do not deduct secured
claims or exemptions.**28. Tax refunds owed to you** No Yes. Give specific information about them, including whether you already filed the returns and the tax years.....**Anticipated refund from debtor's 2015
federal income tax return, estimated
pro rata.**

\$2,838.00

**Anticipated refund from debtor's 2015
state income tax return, estimated pro
rata.**

\$1,240.00

29. Family support

Examples: Past due or lump sum alimony, spousal support, child support, maintenance, divorce settlement, property settlement

 No Yes. Give specific information.....

Debtor 1 Van Donald Miller**30. Other amounts someone owes you**

Examples: Unpaid wages, disability insurance payments, disability benefits, sick pay, vacation pay, workers' compensation, Social Security benefits; unpaid loans you made to someone else

 No Yes. Give specific information..**31. Interests in insurance policies**

Examples: Health, disability, or life insurance; health savings account (HSA); credit, homeowner's, or renter's insurance

 No Yes. Name the insurance company of each policy and list its value.

Company name:

Beneficiary:

Surrender or refund
value:

**Term life insurance policy. No cash
surrender value.**

\$1.00

32. Any interest in property that is due you from someone who has died

If you are the beneficiary of a living trust, expect proceeds from a life insurance policy, or are currently entitled to receive property because someone has died.

 No Yes. Give specific information..**33. Claims against third parties, whether or not you have filed a lawsuit or made a demand for payment**

Examples: Accidents, employment disputes, insurance claims, or rights to sue

 No Yes. Describe each claim.....**Future wages**

\$1.00

34. Other contingent and unliquidated claims of every nature, including counterclaims of the debtor and rights to set off claims No Yes. Describe each claim.....**35. Any financial assets you did not already list** No Yes. Give specific information..**36. Add the dollar value of all of your entries from Part 4, including any entries for pages you have attached
for Part 4. Write that number here.....**

\$15,741.00

Part 5: Describe Any Business-Related Property You Own or Have an Interest In. List any real estate in Part 1.**37. Do you own or have any legal or equitable interest in any business-related property?** No. Go to Part 6. Yes. Go to line 38.

**Current value of the
portion you own?
Do not deduct secured
claims or exemptions.**

38. Accounts receivable or commissions you already earned No Yes. Describe.....**39. Office equipment, furnishings, and supplies**

Examples: Business-related computers, software, modems, printers, copiers, fax machines, rugs, telephones, desks, chairs, electronic devices

 No Yes. Describe.....

Debtor 1 **Van Donald Miller**Case number (if known) **15-35965**

Debtor is sole proprietor of Van Miller's Janitorial Service. He has a single client that generates an average gross revenue of \$300 per month.

The business has no value besides the equipment which includes two buckets, 2 mops, 1 stripping buffer, vaccume cleaner, and other small tools and cleaning supplies.

\$200.00**40. Machinery, fixtures, equipment, supplies you use in business, and tools of your trade**

No
 Yes. Describe.....

41. Inventory

No
 Yes. Describe.....

42. Interests in partnerships or joint ventures

No
 Yes. Give specific information about them.....
 Name of entity:

% of ownership:

43. Customer lists, mailing lists, or other compilations

No.
 Do your lists include personally identifiable information (as defined in 11 U.S.C. § 101(41A))?

 No
 Yes. Describe.....

44. Any business-related property you did not already list

No
 Yes. Give specific information.....

45. Add the dollar value of all of your entries from Part 5, including any entries for pages you have attached for Part 5. Write that number here.....**\$200.00**

Part 6: Describe Any Farm- and Commercial Fishing-Related Property You Own or Have an Interest In.
 If you own or have an interest in farmland, list it in Part 1.

46. Do you own or have any legal or equitable interest in any farm- or commercial fishing-related property?

No. Go to Part 7.
 Yes. Go to line 47.

Part 7: Describe All Property You Own or Have an Interest in That You Did Not List Above

53. Do you have other property of any kind you did not already list?

Examples: Season tickets, country club membership

No
 Yes. Give specific information.....

54. Add the dollar value of all of your entries from Part 7. Write that number here**\$0.00**

Debtor 1 **Van Donald Miller**

Part 8: List the Totals of Each Part of this Form

Fill in this information to identify your case:

Debtor 1	Van Donald Miller		
	First Name	Middle Name	Last Name
Debtor 2 (Spouse if, filing)	First Name	Middle Name	Last Name
United States Bankruptcy Court for the: <u>EASTERN DISTRICT OF VIRGINIA</u>			
Case number (if known)	<u>15-35965</u>		

Check if this is an amended filing

Official Form 106C

Schedule C: The Property You Claim as Exempt

12/15

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. Using the property you listed on *Schedule A/B: Property* (Official Form 106A/B) as your source, list the property that you claim as exempt. If more space is needed, fill out and attach to this page as many copies of *Part 2: Additional Page* as necessary. On the top of any additional pages, write your name and case number (if known).

For each item of property you claim as exempt, you must specify the amount of the exemption you claim. One way of doing so is to state a specific dollar amount as exempt. Alternatively, you may claim the full fair market value of the property being exempted up to the amount of any applicable statutory limit. Some exemptions—such as those for health aids, rights to receive certain benefits, and tax-exempt retirement funds—may be unlimited in dollar amount. However, if you claim an exemption of 100% of fair market value under a law that limits the exemption to a particular dollar amount and the value of the property is determined to exceed that amount, your exemption would be limited to the applicable statutory amount.

Part 1: Identify the Property You Claim as Exempt

1. Which set of exemptions are you claiming? Check one only, even if your spouse is filing with you.

You are claiming state and federal nonbankruptcy exemptions. 11 U.S.C. § 522(b)(3)
 You are claiming federal exemptions. 11 U.S.C. § 522(b)(2)

2. For any property you list on *Schedule A/B* that you claim as exempt, fill in the information below.

Brief description of the property and line on <i>Schedule A/B</i> that lists this property	Current value of the portion you own	Amount of the exemption you claim	Specific laws that allow exemption
2013 Buick Encore 10,500 miles Vehicle: 2013 Buick Encore Mileage: 10,500 Condition: Good Value: Based on NADA Clean Retail less \$1000 for normal wear and tear Line from <i>Schedule A/B</i> : 3.1	\$18,225.00 Copy the value from <i>Schedule A/B</i>	<input checked="" type="checkbox"/> \$1.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Va. Code Ann. § 34-4
2009 Dodge Journey 90,000 miles Vehicle: 2009 Dodge Journey Mileage: 90,000 Condition: Good Value: Based on NADA clean retail less \$1000 for normal wear and tear. Vehicle was repossessed in November but has not been liquidated at the time of filing. Line from <i>Schedule A/B</i> : 3.2	\$8,625.00	<input checked="" type="checkbox"/> \$1.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Va. Code Ann. § 34-4

Brief description of the property and line on Schedule A/B that lists this property	Current value of the portion you own Copy the value from Schedule A/B	Amount of the exemption you claim <i>Check only one box for each exemption.</i>	Specific laws that allow exemption
1996 Lincoln Towncar 155,000 miles Vehicle: 1996 Lincoln Towncar Mileage: 155,000 Condition: Good Value: Based on NADA clean retail less \$1000 for normal wear and tear Line from Schedule A/B: 3.3	\$2,850.00	<input checked="" type="checkbox"/> \$2,850.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Va. Code Ann. § 34-26(8)
1996 Lincoln Towncar 155,000 miles Vehicle: 1996 Lincoln Towncar Mileage: 155,000 Condition: Good Value: Based on NADA clean retail less \$1000 for normal wear and tear Line from Schedule A/B: 3.3	\$2,850.00	<input checked="" type="checkbox"/> \$1.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Va. Code Ann. § 34-4
2007 BMW 3 Series 140,000 miles Condition: Fair Value based off of NADA clean retail price, minus \$1,000.00 for normal wear and tear Line from Schedule A/B: 3.4	\$4,737.50	<input checked="" type="checkbox"/> \$1,079.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Va. Code Ann. § 34-4
Household goods, furnishings and other items located at debtor's residence. Value listed is based on debtor's estimate of replacement value of the property. 2 Chairs \$50, 1 Sofa \$150, 1 Coffee Table \$75, 2 Bed \$1000, 1 Chest of Drawers \$100, 1 Buffet \$ Line from Schedule A/B: 6.1	\$4,460.00	<input checked="" type="checkbox"/> \$4,460.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Va. Code Ann. § 34-26(4a)
Wearing apparel located at debtor's residence. Value listed is based on debtor's estimate of replacement value of the property. Line from Schedule A/B: 11.1	\$500.00	<input checked="" type="checkbox"/> \$500.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Va. Code Ann. § 34-26(4)
Wedding band/engagement ring located at debtor's residence. Value listed is based on debtor's estimate of replacement value of the property. Line from Schedule A/B: 12.1	\$1.00	<input checked="" type="checkbox"/> \$1.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Va. Code Ann. § 34-26(1a)
Cash on hand Line from Schedule A/B: 16.1	\$1.00	<input checked="" type="checkbox"/> \$1.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Va. Code Ann. § 34-4
Checking account *9451 with Wells Fargo Bank Line from Schedule A/B: 17.1	\$5.00	<input checked="" type="checkbox"/> \$5.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Va. Code Ann. § 34-4

Brief description of the property and line on Schedule A/B that lists this property	Current value of the portion you own Copy the value from Schedule A/B	Amount of the exemption you claim <i>Check only one box for each exemption.</i>	Specific laws that allow exemption
Savings account *2377 with Wells Fargo Bank Line from Schedule A/B: 17.2	\$5.00	<input checked="" type="checkbox"/> \$5.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Va. Code Ann. § 34-4
Savings account *5417 with Wells Fargo Bank Line from Schedule A/B: 17.3	\$5.00	<input checked="" type="checkbox"/> \$5.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Va. Code Ann. § 34-4
Checking account *S8 with Henrico Federal Credit Union Line from Schedule A/B: 17.4	\$5.00	<input checked="" type="checkbox"/> \$5.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Va. Code Ann. § 34-4
Savings account *S1 with Henrico Federal Credit Union Line from Schedule A/B: 17.5	\$5.00	<input checked="" type="checkbox"/> \$5.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Va. Code Ann. § 34-4
Flower Credit Union Checking & Savings Accounts Line from Schedule A/B: 17.6	\$5.00	<input checked="" type="checkbox"/> \$5.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Va. Code Ann. § 34-4
Retirement plan Flowers Foods, Inc. 401k Line from Schedule A/B: 21.1	\$11,628.00	<input checked="" type="checkbox"/> \$11,628.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Va. Code Ann. § 34-34
Security deposit held by utility company, landlord, etc. Line from Schedule A/B: 22.1	\$1.00	<input checked="" type="checkbox"/> \$1.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Va. Code Ann. § 34-4
Contingent inheritance Line from Schedule A/B: 25.1	\$1.00	<input checked="" type="checkbox"/> \$1.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Va. Code Ann. § 34-4
Anticipated refund from debtor's 2015 federal income tax return, estimated pro rata. Line from Schedule A/B: 28.1	\$2,838.00	<input checked="" type="checkbox"/> \$2,692.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Va. Code Ann. § 34-4
Anticipated refund from debtor's 2015 state income tax return, estimated pro rata. Line from Schedule A/B: 28.2	\$1,240.00	<input checked="" type="checkbox"/> \$1.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Va. Code Ann. § 34-4
Term life insurance policy. No cash surrender value. Line from Schedule A/B: 31.1	\$1.00	<input checked="" type="checkbox"/> \$1.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Va. Code Ann. §§ 38.2-3122, 38.2-3123
Future wages Line from Schedule A/B: 33.1	\$1.00	<input checked="" type="checkbox"/> \$1.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Va. Code Ann. § 34-4

Brief description of the property and line on Schedule A/B that lists this property	Current value of the portion you own Copy the value from Schedule A/B	Amount of the exemption you claim <i>Check only one box for each exemption.</i>	Specific laws that allow exemption
Debtor is sole proprietor of Van Miller's Janitorial Service. He has a single client that generates an average gross revenue of \$300 per month. The business has no value besides the equipment which includes two buckets, 2 mops, 1 stripping buffer, va	\$200.00	<input checked="" type="checkbox"/> \$200.00 <input type="checkbox"/> 100% of fair market value, up to any applicable statutory limit	Va. Code Ann. § 34-26(7)
Line from Schedule A/B: 39.1			

3. Are you claiming a homestead exemption of more than \$155,675?

(Subject to adjustment on 4/01/16 and every 3 years after that for cases filed on or after the date of adjustment.)

No
 Yes. Did you acquire the property covered by the exemption within 1,215 days before you filed this case?
 No
 Yes

Fill in this information to identify your case:

Debtor 1	Van Donald Miller		
	First Name	Middle Name	Last Name
Debtor 2 (Spouse if, filing)	First Name	Middle Name	Last Name
United States Bankruptcy Court for the: <u>EASTERN DISTRICT OF VIRGINIA</u>			
Case number (if known)	<u>15-35965</u>		

Check if this is an amended filing

Official Form 106D**Schedule D: Creditors Who Have Claims Secured by Property**

12/15

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, copy the Additional Page, fill it out, number the entries, and attach it to this form. On the top of any additional pages, write your name and case number (if known).

1. Do any creditors have claims secured by your property?

No. Check this box and submit this form to the court with your other schedules. You have nothing else to report on this form.

Yes. Fill in all of the information below.

Part 1: List All Secured Claims

2. List all secured claims. If a creditor has more than one secured claim, list the creditor separately for each claim. If more than one creditor has a particular claim, list the other creditors in Part 2. As much as possible, list the claims in alphabetical order according to the creditor's name.

2.1	Ally Financial*	Describe the property that secures the claim:	Column A Amount of claim Do not deduct the value of collateral.	Column B Value of collateral that supports this claim	Column C Unsecured portion if any
	Creditor's Name	2013 Buick Encore 10,500 miles Vehicle: 2013 Buick Encore Mileage: 10,500 Condition: Good Value: Based on NADA Clean Retail less \$1000 for normal wear and tear	\$28,083.00	\$18,225.00	\$9,858.00

CT Corporation Sys, Reg. Agent
4701 Cox Road, Ste. 301
Glen Allen, VA 23060

Number, Street, City, State & Zip Code

Who owes the debt? Check one.

Debtor 1 only
 Debtor 2 only
 Debtor 1 and Debtor 2 only
 At least one of the debtors and another
 Check if this claim relates to a community debt

As of the date you file, the claim is: Check all that apply.
 Contingent
 Unliquidated
 Disputed

Nature of lien. Check all that apply.

An agreement you made (such as mortgage or secured car loan)
 Statutory lien (such as tax lien, mechanic's lien)
 Judgment lien from a lawsuit
 Other (including a right to offset) **Automobile Loan**

Date debt was incurred 05/2014Last 4 digits of account number 2124

2.2	Exeter Finance Corp*	Describe the property that secures the claim:	\$12,000.00	\$8,625.00	\$3,375.00
	Creditor's Name	2009 Dodge Journey 90,000 miles Vehicle: 2009 Dodge Journey Mileage: 90,000 Condition: Good Value: Based on NADA clean retail less \$1000 for normal wear and tear. Vehicle was repossessed in November but has not been liquidated at the			

Corporation Service Company
1111 E. Main St., 16th Floor
Richmond, VA 23219

Number, Street, City, State & Zip Code

As of the date you file, the claim is: Check all that apply.
 Contingent
 Unliquidated
 Disputed

Debtor 1 **Van Donald Miller**

First Name Middle Name Last Name

Case number (if known)

15-35965

Who owes the debt? Check one.

- Debtor 1 only
- Debtor 2 only
- Debtor 1 and Debtor 2 only
- At least one of the debtors and another
- Check if this claim relates to a community debt**

Nature of lien. Check all that apply.

- An agreement you made (such as mortgage or secured car loan)
- Statutory lien (such as tax lien, mechanic's lien)
- Judgment lien from a lawsuit
- Other (including a right to offset)

Automobile Loan

Date debt was incurred **2014**

Last 4 digits of account number **3305**

2.3 Mariner Finance

Creditor's Name

Describe the property that secures the claim:

2007 BMW 3 Series 140,000 miles
Condition: Fair

Value based off of NADA clean retail price, minus \$1,000.00 for normal wear and tear

\$7,317.00

\$9,475.00

\$0.00

**8211 Town Center Drive
Baltimore, MD 21236**

Number, Street, City, State & Zip Code

Who owes the debt? Check one.

- Debtor 1 only
- Debtor 2 only
- Debtor 1 and Debtor 2 only
- At least one of the debtors and another
- Check if this claim relates to a community debt**

As of the date you file, the claim is: Check all that apply.

- Contingent
- Unliquidated
- Disputed
- Other (including a right to offset)

Automobile Loan

Date debt was incurred **2013**

Last 4 digits of account number **0835**

Add the dollar value of your entries in Column A on this page. Write that number here:

\$47,400.00

If this is the last page of your form, add the dollar value totals from all pages.

\$47,400.00

Write that number here:

Part 2: List Others to Be Notified for a Debt That You Already Listed

Use this page only if you have others to be notified about your bankruptcy for a debt that you already listed in Part 1. For example, if a collection agency is trying to collect from you for a debt you owe to someone else, list the creditor in Part 1, and then list the collection agency here. Similarly, if you have more than one creditor for any of the debts that you listed in Part 1, list the additional creditors here. If you do not have additional persons to be notified for any debts in Part 1, do not fill out or submit this page.

Name Address
-NONE-

On which line in Part 1 did you enter the creditor?

Last 4 digits of account number _____

Fill in this information to identify your case:

Debtor 1	Van Donald Miller		
	First Name	Middle Name	Last Name
Debtor 2 (Spouse if, filing)	First Name	Middle Name	Last Name
United States Bankruptcy Court for the:	EASTERN DISTRICT OF VIRGINIA		
Case number (if known)	15-35965		

Check if this is an amended filing

Official Form 106Dec

Declaration About an Individual Debtor's Schedules

12/15

If two married people are filing together, both are equally responsible for supplying correct information.

You must file this form whenever you file bankruptcy schedules or amended schedules. Making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$250,000, or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

 Sign Below

Did you pay or agree to pay someone who is NOT an attorney to help you fill out bankruptcy forms?

No

Yes. Name of person _____ . Attach *Bankruptcy Petition Preparer's Notice, Declaration, and Signature* (Official Form 119).

Under penalty of perjury, I declare that I have read the summary and schedules filed with this declaration and that they are true and correct.

X /s/ Van Donald Miller

Van Donald Miller
Signature of Debtor 1

Date January 7, 2016

X

Signature of Debtor 2

Date _____

Fill in this information to identify your case:

Debtor 1	Van Donald Miller		
	First Name	Middle Name	Last Name
Debtor 2 (Spouse if, filing)	First Name	Middle Name	Last Name
United States Bankruptcy Court for the:	EASTERN DISTRICT OF VIRGINIA		
Case number (if known)	15-35965		

Check if this is an amended filing

Official Form 108

Statement of Intention for Individuals Filing Under Chapter 7

12/15

If you are an individual filing under chapter 7, you must fill out this form if:

- creditors have claims secured by your property, or
- you have leased personal property and the lease has not expired.

You must file this form with the court within 30 days after you file your bankruptcy petition or by the date set for the meeting of creditors, whichever is earlier, unless the court extends the time for cause. You must also send copies to the creditors and lessors you list on the form

If two married people are filing together in a joint case, both are equally responsible for supplying correct information. Both debtors must sign and date the form.

Be as complete and accurate as possible. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known).

Part 1: List Your Creditors Who Have Secured Claims

1. For any creditors that you listed in Part 1 of Schedule D: Creditors Who Have Claims Secured by Property (Official Form 106D), fill in the information below.

Identify the creditor and the property that is collateral	What do you intend to do with the property that secures a debt?	Did you claim the property as exempt on Schedule C?
---	---	---

Creditor's name:
Ally Financial*

- Surrender the property.
- Retain the property and redeem it.
- Retain the property and enter into a *Reaffirmation Agreement*.
- Retain the property and [explain]:

No

Yes

Description of property securing debt:
2013 Buick Encore 10,500 miles
Vehicle: 2013 Buick Encore
Mileage: 10,500
Condition: Good
Value: Based on NADA Clean
Retail less \$1000 for normal wear and tear

Retain collateral and continue payments

Creditor's name:
Exeter Finance Corp*

- Surrender the property.
- Retain the property and redeem it.
- Retain the property and enter into a *Reaffirmation Agreement*.

No

Yes

Description of property securing debt:
2009 Dodge Journey 90,000 miles
Vehicle: 2009 Dodge Journey
Mileage: 90,000
Condition: Good
Value: Based on NADA clean
Retail less \$1000 for normal wear and tear.

B8 (Form 8) (12/08)

Page 2

property
securing debt: **Vehicle was repossessed in November but has not been liquidated at the**

Retain the property and [explain]: _____

Creditor's **Mariner Finance**

name:

Description of property **2007 BMW 3 Series 140,000 miles**

securing debt: **Condition: Fair**

Value based off of NADA clean retail price, minus \$1,000.00 for normal wear and tear

Surrender the property.

No

Retain the property and redeem it.
 Retain the property and enter into a *Reaffirmation Agreement*.

Yes

Retain the property and [explain]: _____

Part 2: List Your Unexpired Personal Property Leases

For any unexpired personal property lease that you listed in Schedule G: Executory Contracts and Unexpired Leases (Official Form 106G), fill in the information below. Do not list real estate leases. Unexpired leases are leases that are still in effect; the lease period has not yet ended. You may assume an unexpired personal property lease if the trustee does not assume it. 11 U.S.C. § 365(p)(2).

Describe your unexpired personal property leases

Will the lease be assumed?

Lessor's name:

No

Description of leased

Yes

Property:

Part 3: Sign Below

Under penalty of perjury, I declare that I have indicated my intention about any property of my estate that secures a debt and any personal property that is subject to an unexpired lease.

X /s/ Van Donald Miller

Van Donald Miller

Signature of Debtor 1

Date **January 7, 2016**

X

Signature of Debtor 2

Date _____

United States Bankruptcy Court
Eastern District of Virginia

In re Van Donald Miller

Debtor(s)

Case No. 15-35965
Chapter 7

TO:

**Mariner Finance
8211 Town Center Drive
Baltimore, MD 21236**

**NOTICE TO
CREDITOR(S) (RE AMENDMENT)**

NOTICE IS HEREBY GIVEN that an amendment to the above-captioned debtor's schedules has been filed

adding you as a creditor,
 deleting you as a creditor,
 correcting your address

A copy of the amendment is forwarded to you together with this notice.

[If amendment is adding creditor(s)] NOTICE IS FURTHER GIVEN that also forwarded to you together with this notice is a copy of the notice of the meeting of creditors called by the United States Trustee pursuant to Federal Rule of Bankruptcy Procedure 2003, giving the particulars of the case and stating the last date for the filing of claims (*if any was given*), for filing complaints objecting to the discharge and complaints to determine the dischargeability of certain debts; a copy of the discharge of the debtor, *if one has been entered*, a subsequent notice to file claims, *if one has been issued*, and any other filed document affecting the rights of the added creditor(s).

Van Donald Miller

Date: January 7, 2016

By /s/ Pamela Trachtman-Allen

Attorney for Debtor [or *Pro Se* Debtor]

State Bar No.: 83114

Address: **The Merna Law Group, P.C.
3419 Virginia Beach Blvd., #236
Virginia Beach, VA 23452**

Telephone No.: (757)340-4895

CERTIFICATION

I certify that on January 7, 2016, I served a copy of the foregoing notice on the United States Trustee, any appointed trustee, and any and all entities affected by the amendment pursuant to Local Bankruptcy Rule 1009-1(A).

/s/ Pamela Trachtman-Allen

Pamela Trachtman-Allen 83114

Attorney for Debtor [or *Pro Se* Debtor]